

Introduced by Senator Strickland

February 9, 2010

An act to amend Section 3 of Chapter 1358 of the Statutes of 1987, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 1001, as introduced, Strickland. State property: San Buenaventura State Beach.

Existing law authorized the Director of General Services, with the approval of the State Public Works Board and the Director of Parks and Recreation, to sell or exchange a parcel of real property consisting of a portion of San Buenaventura State Beach. Under existing law, that parcel was transferred to the City of Ventura on the condition that it be used only for public recreational purposes and authorized the state to reenter the property if that condition was breached.

This bill would terminate the public recreation use restriction and right of reentry that is held by the state with respect to a specified portion of that parcel described above in order to provide for improved public access while allowing for compatible private commercial and recreational use.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3 of Chapter 1358 of the Statutes of 1987,
- 2 as amended by Chapter 662 of the Statutes of 2008, is amended
- 3 to read:

1 Sec. 3. The Director of General Services, with the approval of
2 the State Public Works Board and the Director of Parks and
3 Recreation, may sell or exchange for current market value or for
4 any lesser consideration authorized by law and upon the terms and
5 conditions and subject to the reservations and exceptions as the
6 Director of General Services deems to be in the best interest of the
7 state, all or any part of the following real property:

8 PARCEL 1. Approximately 5,100 square feet with a structure,
9 known as 22879 Gold Springs Road, Columbia, County of
10 Tuolumne.

11 PARCEL 2. (a) Approximately 11.65 acres, being a portion of
12 San Buenaventura State Beach, consisting of the public pier and
13 that portion of the land located within the existing state beach
14 commencing at the most westerly boundary of the state beach and
15 extending easterly to a line to be established that is approximately
16 50 feet easterly of the east side of the pier.

17 (b) The property described in subdivision (a) shall be transferred
18 on the condition that it be used only for public recreational
19 purposes. Upon any breach of this condition, the state may reenter
20 the property, and upon that reentry, the interest of the transferee
21 shall terminate and ownership shall be entirely in the state.

22 (c) Notwithstanding subdivision (b), upon approval by the
23 Director of Parks and Recreation, the City of Ventura may
24 exchange with a private party a portion of the property conveyed
25 to the City of Ventura pursuant to subdivision (a), consisting of
26 approximately 12,000 square feet located near Figueroa Street, for
27 an adjacent parcel of real property located near Figueroa Street
28 that is of equal or greater fair market value. Upon that exchange,
29 the public recreational use condition and the state's right of reentry,
30 as described in subdivision (b), shall terminate with respect to the
31 property conveyed to the private party and that condition and right
32 of reentry shall apply to the property conveyed to the City of
33 Ventura.

34 (d) *Notwithstanding subdivision (b), in order to provide for*
35 *improved public access while allowing for compatible private*
36 *commercial and recreational use over a portion of the property*
37 *conveyed to the City of Ventura pursuant to subdivision (a), the*
38 *public recreation use restriction and right of reentry that is held*
39 *by the state pursuant to subdivision (b) with respect to the portion*
40 *of that parcel that is located adjacent to Harbor Boulevard between*

1 *the eastern property line near the pier and the city parking*
2 *structure shall terminate upon enactment of the act adding this*
3 *subdivision.*

4 PARCEL 4. Approximately two acres, consisting of a narrow
5 strip parcel along the easterly boundary of Redondo State Beach
6 and parallel to the Esplanade between Ruby Street and Nob Hill
7 Avenue, Redondo Beach, County of Los Angeles.

8 PARCEL 5. Approximately 4,000 square feet, being a portion
9 of Topanga State Park fronting on Paseo Miramar, located in Tract
10 No. 10175, County of Los Angeles.

11 PARCEL 6. Approximately 0.063 acre, being a portion of San
12 Clemente State Beach, consisting of a portion of Lot 114, Tract
13 No. 961, as shown on that certain map recorded in the Office of
14 the County Recorder of Orange County and filed in Book 30 of
15 Miscellaneous Maps, at page 31, and a portion of Lot 1, Tract No.
16 1314, as shown on that certain map recorded in the Office of the
17 County Recorder of Orange County and filed in Book 42 of
18 Miscellaneous Maps at page 17, City of San Clemente, County of
19 Orange. This authorization does not include a 25-foot strip along
20 the southerly edge of both lots directly abutting Avenida Califa,
21 which shall be retained by the Department of Parks and Recreation
22 for the protection of its natural, scenic, or open-space values.